

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 11-25 (1) (RHK/FLN)

Plaintiff,

ORDER

v.

Robert Ellis Hastings,

Defendant.

Before the Court are the Objections of Defendant Hastings to the May 23, 2011 Report and Recommendation of Magistrate Judge Franklin L. Noel; Judge Noel has recommended the denial of Defendant's Motions to Suppress Evidence and to Suppress Statements made by the Defendant.

The undersigned has conducted a de novo review of the objected-to portions of the Report and Recommendation. That review has included the Report and Recommendation, the Objections thereto, submission of the parties to Judge Noel, and the submissions to the Court. It also included a review of the 138-page transcript of the March Motions Hearings held before Judge Noel on March 23, 2011 (Doc. No. 26).

Based upon the foregoing, the Court is satisfied that Judge Noel's factual determinations are fully supported by the record before him and the legal conclusions are in conformity with controlling legal principles.

Accordingly, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. The Objections (Doc. No. 44) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 39) is **ADOPTED**;
3. Defendant's Motion to Suppress All Evidence Obtained From Unlawful Searches and Seizures (Doc. No. 14) is **DENIED**;
4. Defendant's Motion to Suppress Statements Made by Defendant (Doc. No. 16) is **DENIED**;
5. Defendant's Motion to Suppress All Electronic Surveillance Evidence (Doc. No. 17) is **DENIED AS MOOT**; and
6. Defendant's Motion to Suppress All Identifications (Doc. No. 18) is **DENIED AS MOOT**.

Dated: June 13, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge